



Please type a plus sign (+) inside this box.

PTO/SB/82-15-03

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<b>REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	Application Number	09/904 352
	Filing Date	July 13 2001
	First Named Inventor	Donald B. Borders
	Group Art Unit	1653
	Examiner Name	
	Attorney Docket Number	660081 424C2

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application.

☒ A Power of Attorney or Authorization of Agent is submitted herewith.

OR

☐ Please change the correspondence address for the above-identified application to:☒ Customer Number

00500

PATENT TRADEMARK OFFICE

OR

☐ Firm or☐ Individual Name

Address

Address

City

Country

State

ZIP

Telephone

Fax

I am the

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name James M. DeMesa, M.D., MBA, President and CEO

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives are required. Submit multiple forms if more than one signature is required; see below.

\*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 122 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send to: Commissioner for Patents, Washington, DC 20231.

P. 1 of 1

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JUL 20 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>ELECTION AND POWER OF ATTORNEY OR AUTHORIZATION OF AGENT</b>	<b>Application Number</b>	09/904 352
	<b>Filing Date</b>	July 13, 2001
	<b>First Named Inventor</b>	Donald B. Borders
	<b>Group Art Unit</b>	1653
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	660081 424C2

I hereby appoint

☒ Practitioners at Seed IP Law Group PLLC

OR

☐ Practitioner(s) named below

00500

PATENT TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to

☒ The above-mentioned Customer Number

OR

☐ Firm or  
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I am the

☐ Applicant/Inventor☒ Assignee of record of the entire interest. See 37 CFR 3.71  
*Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)*☒ As assignee of record of the entire interest I/we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.**SIGNATURE of Applicant or Assignee of Record**

<b>Name</b>	James M. DeMesa, M.D., MBA, President and CEO
<b>Signature</b>	
<b>Date</b>	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below.\*

\*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

289601 (01-14-01)

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Donald B. Borders et al.

Application No./Patent No.: 09/904,352 Filed/Issue Date: July 13, 2001

Entitled: Derivatives of Laspartomycin and Preparation and Use Thereof

Micrologix Biotech Inc.

(Name of Assignee)

a

corporation

(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or

2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above.  
The assignment was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

OR

B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above, to the  
current assignee as shown below:

1. From: Donald B. Borders et al. To: Biosource Pharm, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

2. From: Biosource Pharm, Inc. To: Intrabiotics Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

3. From: Intrabiotics Pharmaceuticals, Inc. To: Micrologix Biotech Inc.

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title noted in B above are  
attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be  
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records  
of the USPTO. See MPEP 302.8.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date

James M. DeMesa, M.D., MBA

Typed or printed name

Signature

**President and CEO**

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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# ASSIGNMENT

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is the owner of record of an invention entitled "DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Attorney Docket Number
09 904,352	July 13, 2001	660081.424C2
PCT/US01/22353	July 17, 2001	660081.42401PC
09 760,328	January 12, 2001	660081.424
PCT/US01/22352	July 17, 2001	660081.424PC
60 219,059	July 17, 2000	660081.424P1
60 220,950	July 26, 2000	660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention:

WHEREAS, Micrologix Biotech Inc. (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, in the country of Canada, having a place of business at 3650 Wesbrook Mall, Vancouver, British Columbia V6S 2L2, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries:

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and

prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

INTRABIOTICS PHARMACEUTICALS, INC.

8-20-02  
Date

By [Signature]  
Henry J. Fuchs, M.D.  
Its President and Chief Operating Officer

State of California )  
 ) ss.  
County of Santa Clara )

I certify that I know or have satisfactory evidence that Henry J. Fuchs is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and Chief Operating Officer of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.



Dated August 20, 2002  
Signature of [Signature]  
Notary Public Marcia L. Peterson  
Printed Name Marcia L. Peterson  
My appointment expires April 14, 2004

MICROLOGIX BIOTECH INC.

September 16, 2002  
Date

By [Signature]  
James M. DeMesa, M.D., MBA  
Its President and CEO

Province of British Columbia )  
 ) ss.  
Country of Canada )


I certify that I know or have satisfactory evidence that James M. DeMesa is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and CEO of Micrologix Biotech Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated Sept 16, 2002  
Signature of [Signature]  
Notary Public [Signature]  
Printed Name [Signature]  
My appointment expires dec 2 2002

**GERRIT J. TE HENNEPE**  
NOTARY PUBLIC  
203 - 4545 WEST 10TH AVENUE  
VANCOUVER, B.C. V6R 4N2

# ASSIGNMENT

WHEREAS, BioSource Pharm. Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977, is the owner of record of an invention entitled "DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number	Attorney Docket Number
09/904,352	July 13, 2001	<i>This space intentionally left blank</i> 	660081.424C2
PCT/US01/22353	July 17, 2001		660081.42401PC
09/760,328	January 12, 2001		660081.424
PCT/US01/22352	July 17, 2001		660081.424PC
60/219,059	July 17, 2000		660081.424P1
60/220,950	July 26, 2000		660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention:

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries:

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and

prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

BIOSOURCE PHARM, INC.

July 19, 2002  
Date

By Donald B. Borders  
Donald B. Borders, Ph.D.  
Its President

State of New York )

) ss.

County of Rockland )

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President of BioSource Pharm, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated July 19, 2002  
Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/2002

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622090  
Qualified in Rockland County  
Commission Expires 10/31/02

8-12-02  
Date

By Ernest Mario  
Ernest Mario, Ph.D. Henry Fuchs  
Its Chairman and CEO President and CEO

INTRABIOTICS PHARMACEUTICALS, INC.

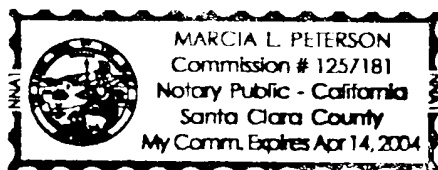
State of California )

) ss.

County of Santa Clara )

I certify that I know or have satisfactory evidence that Ernest Mario is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Chairman and CEO of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated 8/12/02  
Signature of \_\_\_\_\_  
Notary Public \_\_\_\_\_  
Printed Name Marcia L. Peterson  
My appointment expires April 14, 2004



## ASSIGNMENT

WHEREAS, we, **Donald B. Borders**, having the mailing address of 13 Heatherhill Lane, Suffern, New York 10901, **William V. Curran**, having the mailing address of 27 Harding Street, Pearl River, New York 10965, **Amedeo A. Fantini**, having the mailing address of 2 The Glen, New City, New York 10956, **Noreen D. Francis**, 12 Brookside Drive West, Harriman, New York 10926, **Howard Jarolmen**, having the mailing address of 41 Pleasant Avenue, Upper Saddle River, New Jersey 07458-2420 and **Richard A. Leese**, having the mailing address of 7 Marget Ann Lane, Suffern, New York 10901 (hereinafter referred to as ASSIGNORS), are the joint inventors of an invention entitled "DERIVATIVES OF LASPARTOMYCIN AND PREPARATION AND USE THEREOF," as described and claimed in the specification for which an application for United States letters patent was filed on July 13, 2001 and assigned Application No. 09/904,352. This application is a continuation-in-part application of U.S. Patent Application No. 09/760,328, filed January 12, 2001, claims the benefit of Provisional Application No. 60/219,059, filed on July 17, 2000 and Provisional Application No. 60/220,950, filed July 26, 2000.

WHEREAS, BioSource Pharm, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977 is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United



States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor

July 17, 2002  
Date

Donald B. Borders  
Donald B. Borders

State of New York )  
County of Rockland )

ss.

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002  
Signature of Estrella C. Bazlen  
Notary Public  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/2002

7/17/02  
Date

William V. Curran  
William V. Curran

State of New York )  
County of Rockland )

ss.

I certify that I know or have satisfactory evidence that William V. Curran is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002  
Signature of Estrella C. Bazlen  
Notary Public  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/2002

Date July 17, 2002

Amedeo A. Fantini  
Amedeo A. Fantini

State of NEW YORK )  
County of ROCKLAND )

ss.

I certify that I know or have satisfactory evidence that Amedeo A. Fantini is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002  
Signature of Estrella C. Bazlen  
Notary Public  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/2002

Date July 17, 2002  
State of New York )  
County of Orange )

Noreen D. Francis  
Noreen D. Francis

ss.

I certify that I know or have satisfactory evidence that Noreen D. Francis is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002  
Signature of Estrella C. Bazlen  
Notary Public  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/02

Date 7/17/02Signature of Howard Jarolmen  
Howard JarolmenState of New JerseyCounty of Bergen

ss.

I certify that I know or have satisfactory evidence that Howard Jarolmen is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002Signature of  
Notary Public Estrella C. BazlenPrinted Name ESTRELLA C. BAZLENMy appointment expires 10/31/2002Date July 17, 2002Signature of Richard A. Leese  
Richard A. LeeseState of New YorkCounty of Rockland

ss.

I certify that I know or have satisfactory evidence that Richard A. Leese is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002Signature of  
Notary Public Estrella C. BazlenPrinted Name ESTRELLA C. BAZLENMy appointment expires 10/31/2002